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July 8, 2013

VIA ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Morangelli, et al. v. Chemed Corporation, et al., 10 Civ. 0876 (BMC)

Dear Judge Cogan:

We represent defendant Roto-Rooter Services Company ("RRSC") in the above-captioned action. In accordance with Your Honor's Order of June 21, 2013, we write on behalf of all parties to update the Court regarding the progress of their mediation and settlement negotiations. The parties have reached an agreement in principle to resolve the claims asserted in this action and the closely-related arbitration. RRSC has received the necessary corporate approval and the parties have begun to draft a settlement agreement.

The parties propose the following schedule for finalizing the settlement and submitting it to the Court for preliminary approval: (i) the parties will finalize a settlement agreement for execution no later than August 9, 2013; and (ii) plaintiffs will file their proposed motion for preliminary approval no later than August 23, 2013.

Thank you for your consideration.

Respectfully submitted,

/s/ Robert N. Holtzman

Robert N. Holtzman

cc: Michael J.D. Sweeney, Esq. (via ECF)

SO ORDERED. 7/9/2013

Digitally signed by Brian M. Cogan

U.S.D.J.

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